

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application Serial No. 09/837,562)

Filing Date: April 19, 2001)

For: Composition And Method For)
Normalizing Impaired Or)
Deteriorating Neurological Function)

Inventor: Larry McCleary)

Group Art Unit: 1623

Examiner: Fonda, Kathleen
KahlerDocket No: 12439.104US
(Formerly 12439.101B)

Paper No. 8

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence, along with all papers referred to as being transmitted, are being facsimile transmitted to the Patent and Trademark Office Fax No. (703) 308-4556.

November 8, 2002

Date

Elaine C. Von Spreckelsen

Elaine C. Von Spreckelsen

BOX NON-FEE AMENDMENT
ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, DC 20231

Sir:

This paper is responsive to the Office Action mailed October 2, 2002 which was reissued with a new mailing date on October 10, 2002, hereinafter referred to as "the Office Action".

ELECTION

Applicant was required in the Office Action under 35 U.S.C. 121 to elect a single claim disclosed for each of the ingredients (A) – (F) for prosecution on the merits. Applicant elects the species disclosed in claims 2, 4, 6, and 10. Claims 1, 2, 4, 6, 10, 24, 25, 27, 29, and 33 read on these species and are hereby elected.

REMARKS

The examiner has required an election of species and such an election has been made. It is however, believed that the generic claims 1 and 24 are allowable, and thus all claims should be allowable. That is, though the election of only 10 out of 52 claims has been made, it is respectfully requested that after allowance of a generic claim, all claims

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Response to Election Requirement

Mailed 10/10/02

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